

PUBLIC NOTICE

Notice to Water Users
(Pursuant to Section 85-2-307, MCA)
The following application has been submitted to change a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION TO CHANGE A WATER RIGHT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

OBJECTION DEADLINE: OCTOBER 22, 2021. THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 FAX: 406-587-9726 PHONE: 406-586-3136.

Application Number: 43B 30148892

Applicant: GRIZZLY CREEK RANCH LLC
PO BOX 955
SUMMERLAND, CA 93067 0955

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	43B 192641-00	JUNE 1, 1891
Historical Flow Rate: 30. GPM	Historical Consumptive Volume: 11.43 AC-FT	
	Historical Diverted Volume: 11.43 AC-FT	

PAST USE OF WATER

STATEMENT OF CLAIM 43B 192641-00 IS FOR LIVESTOCK-DIRECT-FROM-SOURCE. 340 ANIMAL UNITS HISTORICALLY DRANK DIRECTLY FROM HORSE CREEK, CONSISTING OF 300 COWS, 20 HORSES, AND 50 SHEEP. THE TOTAL VOLUME HISTORICALLY DIVERTED BY THIS WATER RIGHT IS 11.43 AF BASED ON THE ADJUDICATION STANDARD OF 30 GALLONS PER DAY PER ANIMAL UNIT. LIVESTOCK HISTORICALLY DRANK DIRECTLY FROM HORSE CREEK YEAR ROUND IN THE E2E2E2 SECTION 15, E2E2 SECTION 10, AND SESE SECTION 3, T8S R6E, PARK COUNTY.

PROPOSED CHANGE

THE APPLICANT PROPOSES TO CHANGE THE POINT OF DIVERSION, PLACE OF USE, AND PURPOSE OF A PORTION OF STATEMENT OF CLAIM 43B 192641-00 FROM LIVESTOCK-DIRECT-FROM-SOURCE TO FISHERY PURPOSE IN AN OFF-CHANNEL POND LOCATED IN THE NWNENE SECTION 10, T8S R6E, PARK COUNTY. THE PROPOSED POINT OF DIVERSION IS A HEADGATE LOCATED ON HORSE CREEK IN THE SWSENENE SECTION 10, T8S R6E, PARK COUNTY. THE PROPOSED POND HAS A MAXIMUM DEPTH OF 12 FEET, SURFACE AREA OF 1.9 ACRES, AND A CAPACITY OF 11.4 ACRE-FEET (AF). A TOTAL VOLUME OF 17.39 AF IS REQUIRED FOR THE PROPOSED FISHERY PURPOSE AND TO REPLACE EVAPORATIVE LOSS. THE APPLICANT PROPOSES TO CHANGE 7.39 AF OF 43B 192641-00 TO FISHERY PURPOSE IN THE POND AND WILL CONTINUE THE LIVESTOCK-DIRECT-FROM-SOURCE USE OF THE REMAINING HISTORICALLY CONSUMED VOLUME, EQUAL TO 4.04 AF. THE PERIOD OF USE IS JANUARY 1 TO DECEMBER 31 WITH A PRIORITY DATE OF JUNE 1, 1891. THE LIVESTOCK-DIRECT-FROM-SOURCE PLACE OF USE WILL CONTINUE TO BE IN THE E2E2E2 SECTION 15, E2E2 SECTION 10, AND SESE SECTION 3, T8S R6E, PARK COUNTY.

ADDITIONAL INFORMATION

A TOTAL VOLUME OF 17.39 AF IS REQUIRED FOR THE PROPOSED FISHERY PURPOSE AND TO REPLACE EVAPORATIVE LOSS. THE APPLICANT CONCURRENTLY FILED GROUNDWATER PERMIT APPLICATION 43B 30149335 FOR BENEFICIAL USE WITHIN THE YELLOWSTONE CONTROLLED GROUNDWATER AREA FOR THE APPROXIMATE GROUNDWATER CONTRIBUTION TO THIS POND APPROPRIATION.

PUBLISHED IN: LIVINGSTON ENTERPRISE ON SEPTEMBER 8, 2021.